

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

LARRY JAMES CARTER,

Plaintiff,

vs.

STATE OF OKLAHOMA; STANLEY
GLANZ, Sheriff; HOWARD PEEPLES;
DOCTOR FRANKLIN for Wexford
Health Source,

Defendants.

No. 98-CV-530-E (J)

FILED

JUN 15 2000

Phil Lombardi, Clerk
U.S. DISTRICT COURT

ORDER

Before the Court is Plaintiff's motion for status of case (Docket #8) filed on June 9, 2000. The Court's docket for this case indicates Plaintiff's civil rights complaint was dismissed without prejudice for lack of prosecution on November 13, 1998 (#7). The Clerk is hereby directed to send Plaintiff a copy of the Order of dismissal (#7) along with a copy of the docket sheet. Plaintiff's motion for status of case (#8) is **moot**.

SO ORDERED this 15th day of June, 2000.


JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

FILED
NOV 13 1998

Phil Lombardi, Clerk
U.S. DISTRICT COURT

LARRY JAMES CARTER,

Plaintiff,

vs.

No. 98-CV-530-E (J)

STATE OF OKLAHOMA; STANLEY
GLANZ, Sheriff; HOWARD PEEPLES;
DOCTOR FRANKLIN for Wexford
Health Source,

Defendants.

ENTERED ON DOCKET
NOV 17 1998
DATE _____


ORDER

On July 17, 1998, Plaintiff submitted for filing a civil rights complaint pursuant to 42 U.S.C. § 1983. By order entered August 26, 1998, the Court informed Plaintiff of deficiencies in his papers. Specifically, Plaintiff was advised that this action could not proceed unless he paid the initial partial filing fee of \$8.83 by September 28, 1998 pursuant to 28 U.S.C. § 1915(a). Plaintiff was also ordered to submit an amended complaint with enough copies of the complaint, summons and USM forms for service upon the named Defendants. In addition, the Clerk of Court was directed to mail to Plaintiff the forms and information necessary for preparing the documents ordered by the Court. Plaintiff was also advised that these deficiencies were to be cured by September 28, 1998, and that "failure to comply . . . will result in dismissal without prejudice of Plaintiff's complaint." To date, Plaintiff has neither submitted the required documents nor the initial partial filing fee. In addition, no correspondence from the Court to Plaintiff been returned.

Because Plaintiff has neither paid the initial partial filing fee nor submitted the required documents in compliance with the Court's Order of August 26 1998, the Court finds that this action may not proceed and should, therefore, be dismissed without prejudice for failure to prosecute.

ACCORDINGLY, IT IS HEREBY ORDERED that Plaintiff's civil rights *Complaint* is **dismissed without prejudice** for lack of prosecution.

SO ORDERED this 11th day of November, 1998.



JAMES O. ELLISON
UNITED STATES DISTRICT JUDGE

TERMED SAJ
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U.S. District Court
Northern District of Oklahoma (Tulsa)

CIVIL DOCKET FOR CASE #: 98-CV-530

Filed: 07/17/98

Carter v. Oklahoma, State of, et al
Assigned to: Senior Judge James O. Ellison
Demand: \$0,000
Lead Docket: None
Dkt# in other court: None

Nature of Suit: 550
Jurisdiction: Federal Question

Cause: 42:1983 Prisoner Civil Rights

LARRY JAMES CARTER
plaintiff

Larry James Carter
138844-W-117
[COR LD NTC] [PRO SE]
SCC-CONNER
Dick Conner Corr Ctr
Box 220
Hominy, OK 74035

v.

OKLAHOMA, STATE OF
defendant

STANLEY GLANZ, Sued as:
Sheriff Stanley Glanz
defendant

HOWARD PEEPLES, Captain
defendant

DOCTOR FRANKLIN, Sued as: Dr.
Franklin for Wexford Health
Source

-
Wexford Health Source
defendant

Proceedings include all events.

TERMED

4:98cv530 Carter v. Oklahoma, State of, et al

SAJ
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7/17/98 1 CIVIL RIGHTS COMPLAINT (no summons) (fee status: due)
(file/J-sa) (jn) [Entry date 07/20/98]

7/17/98 2 MOTION by plaintiff Larry James Carter to proceed in forma
pauperis (no O/J) (jn) [Entry date 07/20/98]

8/6/98 3 MOTION by plaintiff Larry James Carter to produce (sms)
[Entry date 08/07/98]

8/6/98 4 MOTION by plaintiff Larry James Carter for medical records
to be released by Tulsa Detention Cntr in forma pauperis
(sms) [Entry date 08/07/98]

8/6/98 5 AFFIDAVIT of Larry James Carter re his motion to obtain
medical records ifp [4-1] (sms) [Entry date 08/07/98]

8/26/98 6 ORDER by Senior Judge James O. Ellison denying motion for
medical records to be released by Tulsa Detention Cntr in
forma pauperis [4-1], denying motion to produce [3-1],
granting motion to proceed in forma pauperis [2-1] ;
initial filing fee in amount of \$ 8.83 due 9/28/98; pltf to
submit AC w/enough copies, USM, smmns forms for each deft.
afdt/obtain mdcl records (#5) denied. (fee status: fp)
(cc: all counsel, Tulsa Cty Jail) (pw)
[Entry date 08/27/98]

11/13/98 7 ORDER by Senior Judge James O. Ellison dismissing case
w/out prej for lack/prosecution (cc: all counsel) (pw)
[Entry date 11/17/98]

11/23/98 -- MAIL Returned 11/13/98 order [7-2] addressed to plaintiff
Larry James Carter marked "not in custody" (sms)
[Entry date 11/25/98]

6/9/00 8 MOTION by plaintiff Larry James Carter for status of case
(dcap) [Entry date 06/13/00]

6/14/00 -- Proposed Order to J (bm) [Entry date 06/14/00]

6/15/00 9 ORDER by Senior Judge James O. Ellison finding the motion
for status of case [8-1] moot. c/ds and #7 to pltf (cc:
all counsel) (pw) [Entry date 06/16/00]